

## DEPARTMENT OF FINANCE BILL ANALYSIS

**AMENDMENT DATE:** 06/26/2012  
**POSITION:** Neutral, note concerns

**BILL NUMBER:** AB 2073  
**AUTHOR:** Silva, Jim

### **BILL SUMMARY:** Courts: electronic filing and service of documents.

This bill would authorize the Orange County Superior Court to establish a pilot project to require parties to electronically file and serve documents for specified civil cases. This bill would also require the Judicial Council, after an evaluation of the pilot project is completed, to adopt uniform rules for mandatory electronic filing and service of documents for specified civil cases.

### **FISCAL SUMMARY**

The Judicial Council indicates that the estimated cost to evaluate the pilot project would be between \$28,000 and \$50,000 General Fund. The Judicial Council also notes that there would be additional, but unknown costs to adopt uniform rules regarding electronic filing and service of documents. Additionally, if the provisions of this bill are implemented and efficiencies are gained, there could be savings at the trial court level.

### **COMMENTS**

The Department of Finance is neutral on this bill, but notes concerns that the cost to evaluate the pilot project would result in additional General Fund costs that are not included in the 2012-13 Budget. However, to the extent efficiencies are gained by implementing electronic filing and service of documents, the savings achieved at the trial court level could offset costs related to this bill.

Existing law allows courts to adopt local rules allowing parties to electronically serve specified documents. Existing law also authorizes courts to serve any document, that is not required to be personally served, electronically, if the parties have agreed to accept electronic service.

This bill would authorize the Orange County Superior Court to establish a pilot project to require parties to electronically file and serve documents for specified civil cases. This bill would also require the Judicial Council to evaluate the pilot project and provide a report to the Legislature no later than December 31, 2013, on the results of the evaluation. The evaluation would review the cost of the program to participants, cost-effectiveness for the court, effect on unrepresented parties and parties with fee waivers, and ease of use for participants. If the results of the evaluation determine that mandatory electronic filing and service of documents is feasible and cost-effective, the Judicial Council would be required to adopt uniform rules for mandatory electronic filing and service of documents for specified civil cases no later than July 1, 2014.

Analyst/Principal (0211) J.Sturges	Date	Program Budget Manager Lisa Ann Mangat	Date
Department Deputy Director		Date	
Governor's Office:	By:	Date:	Position Approved _____ Position Disapproved _____
BILL ANALYSIS			Form DF-43 (Rev 03/95 Buff)

**BILL ANALYSIS--(CONTINUED)****Form DF-43****AUTHOR****AMENDMENT DATE****BILL NUMBER**

Silva, Jim

06/26/2012

AB 2073

	SO	(Fiscal Impact by Fiscal Year)							
Code/Department	LA	(Dollars in Thousands)							
Agency or Revenue	CO	PROP					Fund		
Type	RV	98	FC	2012-2013	FC	2013-2014	FC	2014-2015	Code
0250/Jud Branch	SO	No	A	28-50	A	--	A	--	0001
0250/Jud Branch	SO	No		----- See Fiscal Summary -----					0932
<u>Fund Code</u>		<u>Title</u>							
0001		General Fund							
0932		Trial Court Trust Fund							